



State of New Hampshire
WATER WELL BOARD



Roger B. Skillings, C.W.D. – P.I., *Water Well Contractor*
David R. Hunt, *Water Well Contractor*
Stephen R. Smith, *Pump Installer*
Richard P. Schofield, P.G., *Staff*

Steven Garside, *Technical Driller*
Rene Pelletier, P.G., *Dept. of Environmental Services*
Frederick H. Chormann, Jr., P.G., *State Geologist*
Steve Guercia, Certified Operator, *Public Member*

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NH WATER WELL BOARD MINUTES

August 4, 2014

A meeting of the New Hampshire Water Well Board (“Board”) was held on August 4, 2014, in the Department of Environmental Services Building in room 111, 29 Hazen Drive, Concord, NH 03301.

Present were: Roger Skillings, Chairman
Brandon Kernen for Rene Pelletier, Secretary
Board Members: Stephen Smith, Steve Guercia, Steven Garside and David Hunt
NH DES Staff: Richard Schofield and Greg Cummings

Chairman Skillings brought the meeting to order at 10:12 AM.

Administrative Fine Rules

Chairman Skillings called the meeting to see if any members of the Board were interested in opening up discussion of the Administrative Fine schedule that was voted on at the previous Water Well Board meeting on July 24, 2014. Mr. Guercia explained that he made the original motion to accept the Fines as printed at the last Board meeting because he felt that too much time would have been taken at the general meeting to go through the individual fines. Mr. Guercia made a motion to open a discussion on Administrative Fine categories and the amounts that were proposed at the Board meeting on July 24, 2014. Mr. Smith seconded the motion and the Board unanimously voted to open the discussion.

The Board discussed a schedule of fines that Mr. Schofield produced from the Matrix for Calculated Fines. Mr. Schofield explained that he went through each rule and assigned a value or range of values based on the Matrix. He felt that the range of values was necessary because there were different facts for each violation and that each should be handled on a case-by-case basis. The Board agreed that a range of values should be used for violations; including Well Completion Reports since late or non-submitted reports can also range from minor to major potential for harm and deviation from requirement depending on the case specific facts for each violation. However, the Board also expressed concern using the proposed Matrix because they felt the interpretation was opinion-based and the proposed Fines may be different based on who interprets the potential for harm and severity of the violation.

After much deliberation, the Board agreed that the original proposed Matrix should be used for all fines because it allows staff to take into consideration all variations of the violation and determine an appropriate fine amount. Mr. Guercia made a motion to rescind his original motion to accept the Fines as printed as they were presented at the Board meeting on July 24, 2014. Mr.

Hunt seconded the motion and the board unanimously voted to rescind the motion. Mr. Guercia then made a motion to accept the proposed Matrix with the \$100 - \$2000 range for all the Rules of the Water Well Program. Mr. Smith seconded the motion and the Board unanimously voted to accept the motion.

Old Business

Chairman Skillings suggested that since the Board previously approved the proposed draft Water Well Program Rules, which were compiled over a number of years, it would make sense for the Membership to make a final comprehensive review of the complete set of rules We 100 through We 1000 before the final rulemaking. The Board decided to hold a meeting on September 18, 2014 to perform a final review of the proposed draft Rules.

Upon motion by Mr. Smith and seconded by Mr. Garside, the Board voted to adjourn the meeting at 12:17 PM.

Rene Pelletier
Water Well Board Secretary